

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HORREZ TAWANA PLATER,

Plaintiff,

Case No. 2:23-cv-10440

v.

Honorable Susan K. DeClercq
United States District Judge

MAX ZAHRINGER, and
SAMUEL ANDERSON,

Defendants.

_____ /

**ORDER DENYING PLAINTIFF’S MOTION FOR WAIVER OF FEES AND
COSTS ON APPEAL (ECF No. 105)**

In February 2023, Plaintiff Horrenz Tawana Plater, proceeding *pro se*, sued Defendants. ECF No. 1. In March 2025, this Court adopted the magistrate judge’s report and recommendation and granted Defendants’ motion for summary judgment, thus closing the case. ECF No. 103.

Just over two weeks later, Plaintiff filed a Notice of Appeal, proceeding *pro se*. ECF No. 108. At the same time, she also filed an a “motion for waiver of costs/fees and filing appeal.” ECF No. 105; *see also* ECF No. 107 (“Plaintiff is not being represented by any counsel on appeal.”).

Under Federal Rule of Appellate Procedure 24(a)(1), a party seeking permission to appeal *in forma pauperis* must file a motion in the district court, attaching an affidavit that: (1) demonstrates the party’s inability to pay, with at least

as much detail as required by Appellate Form 4;¹ (2) claims an entitlement to redress; and (3) states the issues that the party intends to present on appeal. However, Plaintiff only submitted her total monthly income and did not provide any information about the basis of her appeal. *See* ECF No. 105.

Although it appears, even based on the sparse information in Plaintiff's motion, Plaintiff is likely unable to pay the fees and costs associated with an appeal, this Court must deny her motion because the motion does not claim an entitlement to redress or state the issues that the Plaintiff intends to present on appeal. *See U.S. Sec. & Exch. Comm'n v. Onyx Cap. Advisors, LLC*, No. 10-11633, 2014 WL 2967946, at *2 (E.D. Mich. July 1, 2014); *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999) (directing district courts to determine both the appellant's ability to pay and the merits of the appeal). However, this Court notes that Plaintiff may file a new motion for leave to proceed in forma pauperis with the Court of Appeals. *See* FED. R. APP. P. 24(a)(5).

Accordingly, it is **ORDERED** that Plaintiff's Motion for Waiver of Costs/Fees and Filing Appeal, ECF No. 105, is **DENIED**.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: July 23, 2025

¹ Appellate Form 4 may be found on the Sixth Circuit Court of Appeals website. <https://www.ca6.uscourts.gov/sites/ca6/files/documents/forms/IfpForm4.pdf>.